

REMARKS

Claims 1-28 are pending in the application. Claims 1-28 have been rejected. No new matter has been added.

Rejection under 35 U.S.C. § 102

Claims 1-28 have been rejected under 35 U.S.C. § 102 (e) as being anticipated by Spencer (U.S. Patent No. 6,356,909). Applicants respectfully traverse the rejection.

Summary of Claimed Invention

The claimed invention matches an inquirer having an inquiry with a suitable consultant that is capable of responding to the inquiry for a predetermined resource or amount. The claimed invention may operate over a communication network, such as the Internet. The resource can be exchanged between the consultant and the inquirer over the network, or through some other known medium, such as mail, telephone, wireless networks, and other such exchange medium. The inquirer may specify a particular profile of the consultant that the inquirer desires to respond to the inquiry or, conversely, the consultant can specify the profile of the type of inquirer to whose inquiry the consultant intends to respond. An identity verification facility that enables the system provider to verify the profile of the consultant or the inquirer may also be utilized.

Summary of Spencer

Spencer discusses a web-based system for managing request for proposals (RFPs) and the corresponding responses to the RFP. Spencer discusses the use of a web-site interface which allows a user to request specific information for goods and service from specified vendors. Spencer also discusses a mechanism for automating the process of responding to the RFPs as well as a mechanism for automating the subsequent review, analysis and presentation of the responses. The system in Spencer attempts to provide an efficient system that enables a user to evaluate RFPs and their responses while also shortening the time required by vendors to generate the requested proposals.

Argument

Applicants respectfully maintain that Spencer fails to disclose each and every element of claims 1-28. Specifically, Spencer fails to disclose “exchanging the resource between the consultant and the inquirer for responding to the inquiry” as set forth in independent claims 1, 12, 13, and 21.

The Examiner appears to misunderstand the distinction between Spencer and the present invention. Indeed, The Examiner has misquoted the previous response in the Examiner’s response to the arguments of that response. In the Response of February 28, 2006, it was argued: “While it is true that in the event that an RFP response is acceptable to the entity that created the RFP, a subsequent transaction may take place in which goods are exchanged for an agreed price set forth in the RFP, that is not the same as compensating a consultant with a pre-determined resource for taking the time to answer as required by Applicant’s claims.” Surprisingly, the Examiner has decided to rely on the first part of this argument to maintain the rejection while completely ignoring the second portion of the argument.

Applicants are perplexed why the Examiner would choose rely on part of an argument which distinguishes Spencer from the present invention in support of the Examiner’s assertion that Spencer anticipates the present invention. As argued previously, Spencer does not disclose “exchanging the resource between the consultant and the inquirer for responding to the inquiry” as recited in independent claims 1, 12, 13, and 21. As Applicants have previously pointed out, this is not the same as a subsequent transaction which may take place after and RFP response is accepted, in which goods are exchanged for an agreed price set forth in the RFP.

Accordingly, as Spencer fails to disclose each and every element of claims 1, 12, 13, and 21 as required under 35 U.S.C. § 102, Spencer does not anticipate claims 1, 12, 13, and 21. Since claims 2-11, 14-20, and 22-28 depend from claims 1, 12, 13, and 21, they incorporate each and every element of claims 1, 12, 13, and 21. As such, Spencer also fails to disclose each and every element of claims 2-11, 14-20, and 22-28.

Thus, as Spencer fails to anticipate Claims 1-28, Applicant respectfully request that the rejection to claims 1-28 be withdrawn and claims 1-28 be passed to issue.

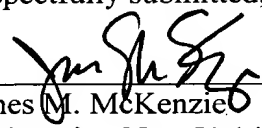
CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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